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09/722,644	11/28/2000	Jun Koide	35.C14946	4570
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FITZPATRICK CELLA HARPER & SCINTO			EXAMINER	
	ROCKEFELLER PLAZA EW YORK, NY 10112		JOHNSON, JONATHAN J	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner Jonathan Johnson 1725 July								
Examiner		Application No.	Applicant(s)					
Jonathan Johnson 1725		09/722,644	KOIDE, JUN					
Priorio for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. 1 Eventuation from gab per widely under the provision of 3°C FN 1.18(s): In no event, however, may a legity be timely filled 1 the MAILING DATE OF THIS COMMUNICATION. 1 Eventuation from gab per widely under the provision of 3°C FN 1.18(s): In no event, however, may a legity be timely filled 1 the MAILING DATE OF THIS COMMUNICATION. 1 No protect from gab per widely under the provision of the provision of the gab per vision of the gab	Office Action Summary	Examiner	Art Unit					
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DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-24 are drawn to a laser working apparatus, classified in class 356,
 subclass various.
- II. Claims 25-31 are drawn to a laser working method, classified in class 219, subclass 121.71.
- III. Claims 32-34 are drawn to an ink jet recording head, classified in class 347, subclass 54.

The inventions are distinct, each from the other because of the following reasons:

Inventions Group II and Group I are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the apparatus can be used in adhesive bonding.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

Inventions Group I and Group III are related as apparatus and product made. The inventions in this relationship are distinct if either or both of the following can be shown: (1) that the apparatus as claimed is not an obvious apparatus for making the product and the apparatus

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can be used for making a different product or (2) that the product as claimed can be made by another and materially different apparatus (MPEP § 806.05(g)). In this case the ink jet head can be made by vapor deposition, grit blasting, and spin coating.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group III, restriction for examination purposes as indicated is proper.

Inventions Group II and Group III are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product can be made by a method involving vapor deposition, grit blasting, and spin coating.

Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group III, restriction for examination purposes as indicated is proper.

<u>IF APPLICANT ELECTS GROUP I, THEN APPLICANT MUST ADDITIONALLY</u> <u>ELECT THE FOLLOWING:</u>

This application contains claims directed to the following patentably distinct species of the claimed invention:

- Ia. Claims 4, 12 and 13 drawn to a chopper.
- Ib. Claim 5, 14 drawn to a shutter.

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- Ic. Claim 15 drawn to a liquid crystal shutter
- Id. Claim 6, 16 drawn to an AOM.
- Ie. Claim 7, 17 drawn to a EOM.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, Claims 1, 2, 3 and 11 generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Johnson whose telephone number is 703-308-0667. The examiner can normally be reached on M-Th 7AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dunn can be reached on 703-308-3318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

jj **y** January 25, 2003

> TOM DUNN SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 1700